

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

THE TRUSTEES OF FIRST VIRGINIA BAPTIST CHURCH, SPA 2004-MV-025-02 (in association with SEA 2004-MV-001-02) Appl. under Sect. 3-103 of the Zoning Ordinance to amend SP 2004-MV-025, previously approved for a place of worship, to permit modifications to development conditions, site modifications, and a change in permittee. Located at 8616 Pohick Rd., Springfield, 22153, on approx. 3.98 ac. of land zoned R-1. Springfield District. Tax Map 98-1 ((1)) 21. Mr. Byers moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on March 16, 2016; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The present zoning is R-1.
3. The lot area is 3.98 acres.
4. The applicant has read, understands, and concurs with the proposed development conditions, including the change made at this hearing.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant, The Trustees of First Virginia Baptist Church only, and is not transferrable without further action of this Board, and is for the location indicated on the application, 8616 Pohick Road (3.98 acres) and is not transferable to other land.
2. This special permit amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit amendment plat entitled "SPA/SEA Plat, Site Plan, First Virginia Baptist Church" consisting of six sheets, prepared by Apex Solutions, LLC, dated April 2, 2015, as revised through February 3, 2016, approved with the application, as qualified by these development conditions.

3. A copy of this special permit amendment and the Non-Residential Use Permit (Non-Rup) shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special permit amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special permit amendment shall be in substantial conformance with these conditions. Minor modifications to the approved special permit amendment may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. There shall be a maximum of 70 seats in the sanctuary of the church with Phase 1 of the development. Upon completion of Phase 2 of the development, there shall be a maximum of 150 total seats.
6. Parking shall be provided as shown on the SEA/SPA Plat. All parking shall be on-site.
7. All signs, existing and proposed, shall be in conformance with Article 12 of the Zoning Ordinance.
8. Any new lighting or replacement lighting installed on the subject property shall be provided in accordance with the Performance Standards contained in Part 9 of Article 14 of the Zoning Ordinance.
9. The trailers (C & D) depicted on the SEA/SPA plat shall be removed within six months of BZA approval. The installation of the Phase I temporary trailers must be removed upon issuance of a Non-RUP for Building 1 or 30 months from BZA approval, whichever occurs first. There shall be no more than two (2) trailers on-site at any time.
10. Stormwater Management (SWM) and Best Management Practices (BMP) shall be provided in accordance with the requirements of the Public Facilities Manual (PFM) as determined by the Department of Public Works and Environmental Services (DPWES). Prior to site plan approval, the applicant shall provide a detailed comparison of existing versus proposed impervious area tabulation/map. The existing impervious area shall be established based on the most recent County approved site plan. Based on this, stormwater detention requirements and Best Management Practices shall be met pursuant to the Public Facilities Manual, unless waived by DPWES.

11. All existing vegetation on the property is to be maintained in good condition, including the removal and replacement of all dead, dying and diseased trees, as determined by the Urban Forest Management Division (UFMD).
12. For the purposes of maximizing the preservation of trees in tree preservation areas shown on the SPA/SEA Plat, the Applicant shall prepare a tree preservation plan. The Applicant shall contract with a certified arborist or registered consulting arborist to prepare a tree preservation plan to be submitted as part of the first and subsequent site plan submissions. The tree preservation plan shall be reviewed and approved by UFMD. The tree preservation plan shall seek to preserve the trees identified on the SPA/SEA. The tree preservation plan shall provide a tree inventory which includes the location, species, size, crown spread and condition rating percent of all trees 12 inches or greater in diameter, measured 4½ feet from the ground, and located within 10 feet of the limits of clearing and grading in the disturbed area, and within 20 feet of the limits of clearing and grading in the undisturbed area as shown on the SPA/SEA Plat. The condition analysis shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be incorporated into the tree preservation plan. Activities should include, but are not limited to, crown pruning, root pruning, mulching and fertilization. Clearing, grading and construction shall conform to the limits of clearing and grading as shown on the SPA/SEA Plat, subject to the installation of necessary utility lines and other required site improvements, all of which shall be installed in the least disruptive manner possible, considering cost and engineering, as determined in accordance with the approved plans.
13. The Applicant shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree preservation walk-through meeting, the Project Arborist shall walk the limits of clearing and grading with a UFMD representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw, and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.
14. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing, consisting of four (4) foot high, 14 gauge welded wire attached to six (6) foot steel posts driven 18 inches into the ground and placed no farther than ten (10) feet apart or super silt fence, to the extent that required trenching for super silt fence does not sever or wound

compression roots which can lead to structural failure and/or uprooting of trees, shall be placed at the limits of clearing and grading as shown on the Phase I and Phase II erosion and sedimentary control sheets in all areas. The tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to the performance of any clearing and grading activities on the site.

15. The Applicant shall (1) root prune roots one inch in diameter or larger of trees to be preserved that may be damaged during clearing, demolition, grading, utility installation and/or the installation of retaining walls; and (2) mulch to a minimum depth of 3 inches within the areas to be left undisturbed where soil conditions are poor, lacking leaf litter or prone to soil erosion. Areas that will be root pruned and mulched shall be clearly identified on the Tree Preservation Plan. The details for these treatments shall be included in the Tree Preservation Plan and shall be subject to the review and approved of UFMD. All root pruning and mulching work shall be performed in a manner that protects adjacent trees and vegetation that are required to be preserved and may include, but not be limited to, the following:
 - i. Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches, or as specified by UFMD at the pre-construction meeting.
 - ii. Root pruning shall take place prior to installation of tree protections fence.
 - iii. Root pruning shall not sever or significantly damage structural or compression roots in a manner that may compromise the structural integrity of trees or the ability of the root system to provide anchorage for the above ground portions of the trees.
 - iv. Root pruning shall be conducted with the on-site supervision of the Project Arborist.
 - v. Tree protection fencing shall be installed immediately after root pruning, and shall be positioned directly in the root pruning trench and backfilled for stability, or just outside the trench within the disturbed area.
 - vi. Immediately after the Phase II erosion & sedimentary control activities are complete, mulch shall be applied at a depth of 3 inches within designated areas. Mulch may be placed within tree preservation areas at points designated by the Project Arborist to minimize impacts to existing vegetation. Motorized equipment may be used to reach over tree protection fence to place mulch at designated points. Mulch shall be spread by hand within trees preservation areas.
 - vii. Mulch shall consist of wood chips pine bark mulch. Hay or straw mulch shall not be used within tree preservation areas.
 - viii. UFMD shall be informed in writing when all root pruning and tree protection fence installation is complete.

16. The Applicant shall provide signs that identify and help protect all areas to be left undisturbed. These signs will be highly visible, posted in appropriate locations along the limits of clearing and grading, and attached to the tree protection fencing. Under no circumstances will the signs be nailed or in any manner attached to the trees or vegetation within the areas to left undisturbed.
17. Supplemental plantings may be required, as determined by UFMD, adjacent to the limits of clearing and grading shown on the approved SPA/SEA Plat where existing vegetation may not be adequate to provide screening as required by the Zoning Ordinance. Selected species for supplemental planting shall be typical of the existing forest type. Planted stock and associated mulch shall be contiguous to the tree preservation area and treated as an expansion of the existing tree line, not set apart from the forested area.
18. Interior portions of designated tree preservation areas shall remain undisturbed and survive construction in a manner that preserves the ecological functionality, health, and condition of overstory and understory tree, shrubs, and herbaceous plants, decaying leaf and woody debris, and soil conditions that are present at the time of plan submission. Invasive species that pervade the forested area to a degree that threatens the survival and regeneration of native species shall be controlled with implementation of a plan that clearly identifies targeted areas and species, details removal and treatment techniques, replanting with herbaceous and woody material, monitoring, program duration in accordance with PFM 12-0404.2B and 12-0509.3B.
19. The applicant shall exclusively use native and non-invasive species for landscaped and other plantings on the site. The applicant shall provide planting lists showing species and location of plantings.
20. The proposed traffic channelization island shall be designed to meet the VDOT Commercial Entrance Channelization standards, as reviewed and approved by VDOT and DPWES.
21. The applicant shall provide and maintain a clear sight distance of 390 feet to the driver's left from the proposed driveway exit per VDOT's Road Design Manual.
22. The applicant shall provide the proposed Right-of-Way dedication parallel to Pohick Road centerline, the roadway pavement extension and striping, and curb and gutter, to meet VDOT road design standards.
23. The applicant shall complete the vacation and re-dedication of the portion of the existing trail easement prior to site plan approval, for the trail easement to be located outside of the Right-of-Way dedication area, as reviewed and approved by DPWES.

24. The applicant shall install a roofing membrane with a Solar Reflectance Index (SRI) appropriate to the slope of the roof (i.e. for a low-sloped roof ($\leq 2:12$) equal to or greater than 78 for a minimum of 75% of the total roof area, and for a high-sloped roof ($> 2:12$) equal to or greater than 29). The applicant shall provide proof of installation, roof area calculations, and manufacturers' product data to the Environment and Development Review Branch of DPZ.
25. The applicant shall provide a light pollution reduction strategy for interior and exterior lighting as listed below – to be written as it pertains to the specific case (examples include, LED lighting for signage/interior lighting, reduction by automatic device below the interior lighting power maximum allowances per International Energy Conservation Code (IECC) Table 505.5.2 for all non-emergency interior luminaries with a direct line of sight to any openings in the envelope (translucent or transparent) between certain hours, with an after-hours override provided by a manual or occupant-sensing device provided the override lasts no more than 30 minutes, or for exterior lighting, the input power of exterior lighting shall be reduced (by automatic device of) by more than the Zoning Ordinance's current minimum of 50%. The applicant shall provide proof of installation and plan locations to the Environment and Development Review Branch of DPZ.
26. The Applicant shall install motion sensor faucets and flush valves and ultralow-flow plumbing fixtures that have a maximum water usage as listed below (to be modified with the project-specific fixtures to be included). The Applicant shall provide proof of installation and manufacturers' product data to the Environment and Development Review Branch of DPZ.
 - Water Closet (gallons per flush, gpf) 1.28
 - Urinal (gpf) 0.5
 - Showerheads (gallons per minute, gpm*) 2.0
 - Lavatory faucets (gpm**) 1.5
 - Kitchen and janitor sink faucets 2.20
 - Metering faucets 0.25

* When measured at a flowing water pressure of 80 pounds per square inch (psi).

** When measured at a flowing water pressure of 60 pounds per square inch (psi).
27. The Applicant shall provide an area for the separation, collection and storage of glass, paper, metal, plastic and cardboard generated by both customers and employees. There shall be a dedicated area on the Property for the storage of the recycled materials. The Applicant shall provide proof of installation, installation locations and a copy of the Applicant's recycling hauling contract to the Environment and Development Review Branch of DPZ.

28. To the extent reasonably feasible, and in accordance with all applicable building codes the Applicant shall salvage any lighting and plumbing fixtures, signage, exterior doors, and door hardware. The Applicant shall provide construction drawings and an itemized list of the reuse to the Environment and Development Review Branch of DPZ.
29. To the extent reasonably feasible, the Applicant shall use building materials that have been produced or manufactured within 500 miles of the project site including concrete, brick veneer, engineered lumber, windows and doors, structural steel, and carpet. The Applicant shall provide proof of installation and invoice receipts, with manufacturer's data showing the production or manufacturing location to the Environment and Development Review Branch of DPZ.
30. The Applicant shall use low-emitting materials for all adhesives, sealants, paints, coatings, flooring systems, composite wood, and agrifiber products, as well as furniture and furnishings if available – to be written as it pertains to the specific case. Low-emitting is defined according to the following table:

| Application | (VOC Limit g/L less water) |
|-----------------------------------|----------------------------|
| • Carpet Adhesive | 50 |
| • Rubber floor adhesive | 60 |
| • Ceramic tile adhesive | 65 |
| • Anti-corrosive/ anti-rust paint | 250 |
| • Clear wood finishes | 350 |

The Applicant shall provide proof of installation and the manufacturers' product data to the Environment and Development Review Branch of DPZ.

31. The Applicant shall install only LED or fluorescent lamps in all interior building lighting fixtures. The Applicant shall provide a maximum lighting power allowance of 1.25 watts/square foot (code maximum is 1.5 watts/square foot for retail area and 0.9 watts/per square foot for the service department area). The Applicant shall provide proof of installation, energy usage calculations and manufacturers' product data to the Environment and Development Review Branch of DPZ.
32. The Applicant shall install Energy Star appliances and equipment for all refrigerators, dishwashers, water heaters, computers, monitors, televisions, vending machines, water coolers, and other appliances and office equipment (if available). The Applicant shall provide proof of installation, installation locations, and manufacturers' product data, including the Energy Star energy guide to the Environment and Development Review Branch of DPZ.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently prosecuted. The establishment of Phase I uses shall establish all phases and uses approved by this Special Permit. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Mr. Hart seconded the motion, which carried by a vote of 5-0. Mr. Beard and Mr. Smith were absent from the meeting.

A Copy Teste:

A handwritten signature in cursive script, reading "Lorraine A. Giovinazzo", is written over a horizontal line.

Lorraine A. Giovinazzo
Clerk to the Board of Zoning Appeals